

REMARKS

This amendment is further to the Amendment After Final Office Action filed on April 28, 2010 and the Supplemental Amendment filed on May 3, 2010. Claims 5-6 and 12 are currently pending in this application. No claims have been amended. As such, no new matter has been added.

In view of the remarks herein, as well as the amendments and remarks of April 28 and May 3, 2010, which are incorporated herein by reference in their entirety, Applicants respectfully request that the Examiner withdraw all outstanding rejections and allow the currently pending claims.

Substance of Interview

Applicants thank the Examiner for the time, helpfulness and courtesies extended to Applicants' representatives during the two Interviews conducted on June 2, 2010. The assistance of the Examiner in advancing prosecution of the present application is greatly appreciated. In compliance with M.P.E.P. § 713.04, Applicants submit the following remarks.

During the (first) Interview, the Examiner acknowledged that, upon further review of the instant claims and the teachings of the prior art, claim 12 will be allowed without any additional amendments.

As to claims 5 and 6, Applicants argued that these claims should be rejoined, as they are directed to a method of producing the allowed product, and, moreover, depend from allowable product claims. Initially, the Examiner maintained his previous position that claims 5 and 6 must be cancelled in order to place the present application in condition for allowance.

Applicants directed the Examiner's attention to several relevant sections of the MPEP, the Code of Federal Regulations and relevant case law. During the second Interview, the Examiner acknowledged that withdrawn claims 5 and 6 should and will be rejoined.

Despite Applicants' arguments in this regard, the Examiner indicated that he would not issue a Notice of Allowability until after Applicants filed a second Response After Final Office Action, including a "Statement of Substance of Interview" based on the Interviews which took place on June 2, 2010.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. A Notice of Allowability is respectfully requested.

Conclusion

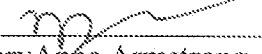
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Vanessa Perez-Ramos, Reg. No. 61,158 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated:

JUN 28 2010

Respectfully submitted,

By 
MaryAnne Armstrong
Registration No.: 40,069
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant